

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Zemik

**Docket No.:** SFTO0002

**Serial No. :** 09/764,336

**Art Unit:** 2174

**Filed:** January 16, 2001

**Examiner:** Joseph, Thomas

**Title:** INTERFACE FOR PRESENTING SEARCH RESULTS

September 29, 2003

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**SEP 29 2003**

Assistant Commissioner for Patents  
Mail Stop Non Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

**OFFICIAL**

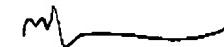
Sir:

This Amendment is responsive to the Office Action, dated September 10, 2003, for the above-identified patent application.

**Election**

Applicant hereby elects that Group 1, Claims 1-21, without traverse, be examined in the above-identified application.

Respectfully Submitted,



Michael A. Glenn  
Reg. No. 30,176

Customer No. 22862

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Application/Control Number: 09/764,336  
Art Unit: 2174

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1 - 21, drawn to an interface for a video editor, classified in class 345, subclass 723.
  - II. Claims 22 - 28, drawn to a video editor, classified in class 345, subclass 719.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a distinct user interface while invention II is the actual video editor. See MPEP § 806.05(d).
3. A telephone call was made to Lee van Pelt on 8-28-2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the Inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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Application/Control Number: 09/764,336  
Art Unit: 2174

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-3917. The examiner can normally be reached Monday through Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

tjj

*288*  
September 5, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

09/29/2003 MON 13:02 FAX 650 474 8401 GLENN PATENT GROUP

4007/008

COPY

Atty. Dkt. No. SIFTP001

Appln. No. 09/764,336

Inventor(s): ZERNIK, et al.

Filing Date: January 16, 2001

Date: August 26, 2003

By:LVP /pt

For: INTERFACE FOR PRESENTING INFORMATION

The following have been received in the U.S. Patent and  
Trademark Office on the date stamped hereon:

1. Request for Withdrawal as Attorney or Agent.

**COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	Examiner: Unassigned
ZERNIK, et al.	)	
Application No. 09/764,336	)	
Filed: January 16, 2001	)	Art Unit: 2672
For: INTERFACE FOR PRESENTING INFORMATION	)	August 28, 2003
	)	Atty. Docket No. SIFTPO01

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Mail Stop Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 26, 2003.

Signed: Pet. Lte  
Secretary

**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT**

To: Mail Stop \_\_\_\_\_  
Commissioner for Patents:  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby apply to withdraw as attorney or agent for the above-identified patent application. The reasons for this request are: Client has retained new counsel.

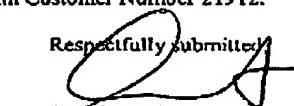
The applicant or patent owner has been notified of the withdrawal as provided in 37CFR 1.36.

Please change the correspondence address and direct all future correspondence to:

Firm or individual name: Kirk Wong  
Address: Glenn Patent Group  
3475 Edison Way  
Suite C  
City, Menlo Park  
State CA  
Zip 94025

This request is made on behalf of myself and  
 All the attorneys/agents of record  
 The attorneys/agents associated with Customer Number 21912.

Respectfully submitted,

  
Lee Van Pelt,  
Reg. No. 38.352

VAN PELT & YI LLP  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014  
(408) 973-2585

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4003/008

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UNITED STATES DEPARTMENT OF COMMERCE  
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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,336	01/16/2001	Uri Zernik	SIFTPO001	7527
21912 7590	09/10/2003		3FTO.0001	

VANPELT & YI LLP  
10050 N. FOOTHILL BLVD #200  
CUPERTINO CA 95014

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3475 EDISON WAY RECEIVED

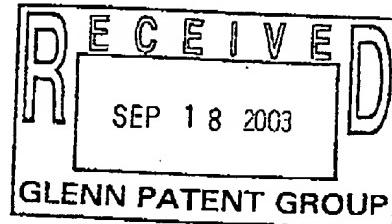
Suite L SEP 15 2003  
MENLO Park, CA 94025 VAN PELT & YI LLP

Please find below and/or attached an Office communication concerning this application or proceeding.

CUSTOMER NO. 22862 VAN PELT & YI LLP

SEP 15 2003

DOCKETED



GPG  
U.S.: FOREIGN:  
DOCKETED: 9/19/03 BY: SL  
ACTION: Response Due  
DUE DATE: 10/10/03  
EXT: 1ST 2ND 3RD  
DOCKET# SIFTPO001 ATTY: KLW

PTO-90C (Rev. 07-01)

**COPY**

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/784,336	ZERNIK ET AL.
	Examiner Thomas J Joseph	Art Unit 2174

~ The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 1-16-01 to 7-9-01.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) 1-28 are subject to restriction and/or election requirement.

**Disposition of Claims**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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001/008

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PTO/SB/27 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/764,338
		Filing Date	1/16/2001
		First Named Inventor	Zemik
		Art Unit	2174
		Examiner Name	Joseph, Thomas J.
Total Number of Pages in This Submission	8	Attorney Docket Number	SFTO0002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Remarks</b> - Response (1 page .); - Copy of Office Action mailed 9/10/2003 (4 sheets); and - Copy of Postcard and Request for Withdrawal as Attorney or Agent dated 8/26/2003 (2 sheets) changing attorney of record to Glenn Patent Group. **Also note Attorney docket number has changed to SFTO0002.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Michael A. Glenn
Signature	
Date	9/29/2003

703-872-9306 CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 9/29/2003	
Typed or printed	Rhonda Dunn
Signature	
Date 9/29/2003	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.